



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-2(c)**

**Charles H. Jeanfreau**  
**Weinstein, & Riley, PS**  
**11 Broadway Suite 615**  
**(212) 268-5540**  
*Attorney for BSI Financial Services*

Bankruptcy Case No. 17-10159-ABA  
Order Filed on May 30, 2017  
by Clerk

U.S. Bankruptcy Court  
District of New Jersey

Chapter 13

In re Kyle Smith,


Debtor

**CONSENT ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO**  
**DEBTOR'S CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
ORDERED

Dated:

**DATED: May 30, 2017**

  
\_\_\_\_\_  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

This matter having been brought before the Court by Weinstein & Riley, PS attorneys for Secured Creditor Ventures Trust 2013 I-H-R by MCM Capital Partners, LLLP, fl/k/a MCM Capital Partners, LLC its Trustee by way of objection to the confirmation of the Debtor's chapter 13 plan, and the Court having considered the representations of Tamika Wyche, Esquire, attorney for the Debtor Kyle Smith and of Charles H. Jeanfreau, one of the attorneys for Secured Creditor, and for good cause having been shown:

It is **ORDERED, ADJUDGED AND DECREED:** that Secured Creditor has filed a valid, secured Proof of Claim in the amount of \$111,727.02: and

It is further **ORDERED, ADJUDGED AND DECREED:** that the Trustee is authorized not to pay the Secured Arrearage Claim of Secured Creditor for the purpose of allowing the Debtor to apply and potentially complete a loan modification. Should the Debtor qualify for a loan modification, the loan modification must be approved no later than August 15, 2017.

It is further **ORDERED, ADJUDGED AND DECREED:** that if the loan modification is not approved by August 15, 2017 or an alternative date approved by the Court, then the Debtor shall do one of the following: (1) file a Modified Plan to cure the arrearage claim, (2) file a Modified Plan to surrender the property subject to said claim; (3) file a Notice to Convert to Chapter 7; or (4) file a Notice to Dismiss Case.; and

It is further **ORDERED, ADJUDGED AND DECREED:** that the Debtor shall continue making regular post-petition payments to Secured Creditor outside the Chapter 13 Plan; and

It is further **ORDERED, ADJUDGED AND DECREED**: that this Order shall be incorporated in and become a part of any Order Confirming plan in the above captioned chapter 13 case.

The undersigned hereby consent to the form, Content and entry of the within Order:

/s/ Charles H. Jeanfreau  
Charles H. Jeanfreau  
WEINSTEIN & RILEY PS  
11 Broadway, Suite 615  
New York, NY 10004  
Phone: (212) 268-5583  
Fax: (206) 269-3493  
email: [charlesj@w-legal.com](mailto:charlesj@w-legal.com)

Dated: May 30, 2017

/s/ Tamika Nicole Wyche  
Tamika Nicole Wyche, Esq.  
Attorney for Debtor

Dated: May 23, 2017

**Certificate of Notice Page 4 of 4**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Kyle L. Smith  
Debtor

Case No. 17-10159-ABA  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: May 30, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 01, 2017.

db Kyle L. Smith, 2930 N Congress Rd, Camden, NJ 08104-2912

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 01, 2017

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 30, 2017 at the address(es) listed below:

Charles H. Jeanfreau on behalf of Creditor BSI Financial Services as servicer for Ventures Trust 2013-I-H-R by MCM Capital Partners, LLLP FKA MCM Capital Partners, LLC, its Trustee  
Charlesj@w-legal.com, BNCmail@w-legal.com  
Denise E. Carlon on behalf of Creditor Ditech Financial LLC dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com  
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,  
summarymail@standingtrustee.com  
Laura M. Egerman on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not Individually but as Trustee for Ventures Trust 2013-I-H-R, A Delaware Trust  
bkyecf@rasflaw.com, gshasa@rasnj.com;bmusarra@rasnj.com;bkyecf@rasflaw.com;legerman@rasnj.com  
R. A. Lebron on behalf of Creditor FAY SERVICING LLC, as servicer for WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE FOR VENTURES TRUST  
2013-I-H-R, A DELAWARE TRUST bankruptcy@feinsuch.com  
Tamika Nicole Wyche on behalf of Debtor Kyle L. Smith dpdlawyer@comcast.net,  
G30609@notify.cincompass.com  
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8